IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NORTH DAKOTA SOUTHWESTERN DIVISION

United States of America,)
Plaintiff,) ORDER OF DETENTION PENDING) VIOLATION HEARING
vs. Luis Alberto Garcia) Case No. 1:05-cr-060 and 1:09-cr-070
Defendant.)
In accordance with the Bail Reform Act, I of the defendant.	8 U.S.C. § 3142(f), I conclude that the following facts require the detention
	FINDINGS AND CONCLUSIONS
3142(e)(3), and (2) Defendant has not rebu	e to believe that defendant has committed an offense listed in 18 U.S.C. § atted the presumption that no condition or combination of conditions will be defendant's appearance and the safety of the community.
conditions will reasonal (2) The Government has preconditions will reasonal (3) The Government has predefendant will obstruct	nore of the following: oven by preponderance of the evidence that no condition or combination of oly assure defendant's appearance. oven by clear and convincing evidence that no condition or combination of oly ensure the safety of other persons or the community. roven by a preponderance of the evidence that there is a serious risk that or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to nidate, a prospective witness or juror.
 	ne following: test detention at this time. e for release at this time.
PART II – WRITTEN S	TATEMENT OF REASONS FOR DETENTION
by defense counsel. The court finds that the defend voluntarily, and knowingly and intelligently waive to be detained pending final disposition of this mat	Preliminary Hearing and Detention executed by the defendant as well as dant, having had an opportunity to consult with counsel, freely and d his right to a detention hearing and a preliminary hearing and consented ter. Further, based upon the defendant's waiver of a preliminary hearing, we that the defendant may have committed the violations alleged in the
Defendant is committed to the custody of the Attorne extent practicable, from persons awaiting or serving sentences of	ECTIONS REGARDING DETENTION ey General or designated representative for confinement in a corrections facility separate, to the or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity art of the United States or on request of an attorney for the Government, the person in charge of
	tes marshal for the purpose of an appearance in connection with court proceedings.
Date: 08/23/10	/s/ Charles S. Miller, Jr. United States Magistrate Judge